

6.5 CULTURAL RESOURCES

6.5 CULTURAL RESOURCES

INTRODUCTION

This section of the EIR assesses potential adverse impacts on cultural resources that could result from the implementation of the Regional University Specific Plan (RUSP). This section of the EIR is based on the report titled *Archaeological Inventory Survey, Proposed Regional University Development Project, c. 2,400 Acres Near Roseville, Placer County, California*, prepared in November 2006 by Genesis Society.¹ No comment letters received in response to the Notice of Preparation addressed the topic of cultural resources.

ENVIRONMENTAL SETTING

The RUSP project site and all areas proposed for off-site infrastructure comprise the study area analyzed in this section.

RUSP Project Site

The RUSP project site encompasses approximately 1,157.5 acres in unincorporated Placer County, west of the City of Roseville, and consists of predominately open agricultural land utilized for rice and dry land farming. Approximately 55 percent of the project site is in agricultural production. The project site has minimal topographic relief, generally sloping from east to west, and has been heavily modified from the original natural topography and hydrology due to the network of ditches and canals to support actively cultivated rice fields. There are two unnamed tributaries to Curry Creek within the project site, both located north of Curry Creek, herein referred to as the South Tributary and the North Tributary. The South Tributary is heavily channelized to support rice cultivation. The North Tributary is channelized in the eastern portion of the project site and then transitions to a natural state in the western portion of the project site and supports occasional patches of woody riparian habitat.

Off-Site Improvement Areas

Proposed off-site improvements include pipeline and infrastructure corridors, an extension of Watt Avenue, areas for off-site grading, and a stormwater detention/retention basin. The Watt Avenue extension study area consists of developed pasture, which includes a contemporary residence, a mobile home, and associated contemporary ranch buildings and features (corrals, pens, cross-fencing, etc.). Land uses surrounding the pipeline and infrastructure corridors are rural residential and agricultural (primarily rice and hay production).

Cultural Setting

Prehistory

Human occupation in north central California dates from approximately 6,500 years ago. Continuous use of the region is evidenced by numerous regional prehistoric sites, particularly within

¹ Genesis Society, *Archaeological Inventory Survey, Proposed Regional University Development Project, c. 2,400 Acres Near Roseville, Placer County, California*, November 27, 2006.

the Farmington area and along the Truckee River drainage east of Sacramento, within the Sierra Nevada. Large wide-stemmed projectile points and manos and metates are the most prominent and distinctive artifact types represented in this period. The possibility exists that this early culture represents Hokan-speaking peoples, who were also ancestral to those who subsequently expanded into the southern Cascade, the southern Klamath, the North Coast Range, and the lower reaches of the Sierra Nevada near Roseville and Sacramento.

Sometime around A.D. 200–400, the first major disruption of this early California culture is believed to have occurred. Arriving from southern Oregon and the Columbia and Modoc Plateau region and proceeding down the major river drainage systems (including the Feather, Yuba, and American Rivers), Penutian-speaking peoples soon occupied much of the Sacramento Valley floor and the margins of the Sacramento River. It is presumed that these later arrivals introduced a more extensive use of bulbs and other plant foods, animal and fishing products more intensively processed with mortars and pestles, and perhaps the bow and arrow and associated small-stemmed- and corner-notched projectile points. In the northernmost Sacramento Valley, the so-called Shasta (archaeological) Complex represents the material culture record of the local Penutian speakers. Generally similar archaeological expressions also define the Penutian-speaking occupants of the northern Sierra Nevada around Grass Valley and Nevada City, and the Nisenan ancestors who occupied the area in the foothills above and valley margins around Roseville and Sacramento.

Ethnography

As noted above, the project area is located within territory occupied by the Nisenan (also referred to as the Southern Maidu). These Penutian-speaking peoples occupied the drainages of the southern Feather River and Honcut Creek in the north, through Bear River and the Yuba and American River drainages and along the Sacramento River in the south. Villages were frequently located on flats adjoining streams, and were inhabited mainly in the winter, as it was usually necessary to go out into the hills and higher elevation zones to establish temporary camps during food-gathering seasons (i.e., spring, summer, and fall).

As with all northern California Indian groups, economic life for the Nisenan revolved around hunting, fishing, and the collection of plant foods. The Nisenan possessed a sophisticated knowledge of the uses of local animals and plants and of the availability of raw material sources that could be used in manufacturing an immense array of primary and secondary tools and implements. Unfortunately, only fragmentary evidence of the material cultural of the Nisenan remains, due in part to perishability, and in part to impacts on archaeological sites from later land uses such as farming, grazing, and urban development.

Historic Period

Recorded history of the general project vicinity begins with the attempts of Spanish colonists to explore parts of California beyond the coastal zone. Spanish explorer Gabriel Moraga led an expedition into the California interior in 1806, and Spanish and Mexican incursions occurred in the region through the 1840s. Euroamericans began arriving in the region in the 1820s, most notably the trapping expeditions of Jedediah Smith. The discovery of gold at Coloma in 1848 triggered the massive influx of Euroamericans into California known as the Gold Rush.

By 1850, mining was underway along nearly every stream within the greater Sacramento region, including many of the streams and dry arroyos around Roseville. Placer mining continued to yield

large quantities of gold through the next several years, and, by 1855, supporting industry around Roseville included stores, transportation companies, saloons, foundries, lumber mills, water companies, toll roads, and stage lines.

The period immediately following the gold rush saw numerous homesteads claimed and ranches created. One of the most important properties in the Roseville area was the consolidated ranch of Joel Whitney, who formed what became known as the Spring Valley Ranch, located several miles north of the project area. Numerous smaller ranches followed, and virtually all of the lands around Roseville were used for mining, ranching, or farming.

Cultural Resources

NCIC Records Search

Three separate cultural resources records searches of the North Central Information Center (NCIC) of the California Historical Resources Information System (CHRIS) at California State University, Sacramento were conducted, which combined, include all lands within the 2,400-acre project area.² The records search indicated that approximately 95 percent of the study area had been formally surveyed for cultural resources. No cultural resources were newly identified and no previously recorded resources (discussed below) could be re-located during any of the previous surveys detailed in the results of the records search.

Native American Consultation and SB 18 Compliance

Native American consultation conducted for the proposed project included requests for information regarding Native American cultural resources within the study area or adjacent lands from local representatives of the Maidu, Nisenan, and Miwok tribes identified by the Native American Heritage Commission (NAHC). Native American consultation also included a request to the NAHC to search its Sacred Lands files for the presence of Native American cultural properties within or near the study area. No responses from tribal representatives have been received to date, and the Sacred Lands files search revealed no listings for the study area or vicinity.

Because the proposed project would result in amendments to the Placer County General Plan, including amendments to the General Plan Land Use Diagram and policies, the project is required to comply with Senate Bill (SB) 18 (Government Code sections 65352.3, 65352.4) which requires that, prior to the adoption or amendment of a general plan proposed on or after March 1, 2005, a city or county must consult with Native American tribes with respect to the possible preservation of, or the mitigation of impacts to, specified Native American places, features, and objects located within that jurisdiction. Accordingly, the Placer County Planning Department initiated tribal consultation with the United Auburn Indian Tribe in accordance with the State of California Tribal Consultation Guidelines.³ To date, this consultation has identified no known Native American cultural places that would be affected by the proposed project.

2 NCIC File Nos. PLA-04-9, dated January 22, 2004; PLA-05-133 dated September 13, 2005; and PLA-06-141, dated November 21, 2006.

3 State Of California, *Tribal Consultation Guidelines: Supplement to General Plan Guidelines*, Governor's Office of Planning and Research, November 14, 2005.

Pedestrian Survey

The pedestrian survey of the study area identified disturbance to the ground surface and subsurface components that ranged from minimal to substantial. The southwestern corner of RUSP project site appears to have been subjected to recent livestock grazing, but these pastures represent areas converted for this use from lands previously intensively farmed for rice. The remainder of the RUSP project site has been more recently and intensively farmed for rice using heavy equipment. Land leveling and excavation in conjunction with forming up rice levees and creating checks and trenching and excavating to establish a workable pattern of drainage have affected virtually all of the land surface and subsurface components throughout the study area. While rice farming likely began in the area in the first half of the twentieth century, the features and components visible today are those of modern, contemporary operations.

Prehistoric Resources

No evidence of prehistoric presence or activity was observed anywhere within the study area during the pedestrian survey. Particular attention was given to knolls and other higher ground, both in association with and located away from Curry Creek and its ephemeral tributary. Despite intensive survey of these creek margins, no waste flakes, lithic implements or tools, or other indicators of prehistoric presence were observed. These findings and observations conform to other recent archaeological surveys in the area involving large tracts that have also been subjected to intensive farming.

The NCIC records search conducted for the proposed project indicated that one prehistoric site (CA-PLA-134) was recorded south of Curry Creek, approximately one-half mile west of Brewer Road. The record for the site was prepared in 1961 by Mott, whose sketch map references “artifact discoveries” adjacent to the south side of Curry Creek. However, maps on file at the NCIC plot the site as being within an open field nearly a quarter-mile from Curry Creek. Moreover, the “artifact discoveries” were not made by Mott, but were apparently reported to Mott by previous landowners, or their descendants, who had made the discoveries during plowing and other field preparation over multiple decades. In short, the locations of the artifacts, which presumably include bowl mortars, remain unknown. No evidence of CA-PLA-134 was observed during the pedestrian survey.

The NCIC records search indicated that a second prehistoric site (CA-PLA-137) has been mapped as being present on both sides of Pleasant Grove Creek. The southern portion of CA-PLA-137 is plotted within the proposed Phillip Road infrastructure corridor extension within the northeastern-most portion of the study area. Site CA-PLA-137 could not be relocated during a previous survey conducted in 2001 by Wesson and Hattoff, despite a concerted effort on their part to remove grass cover and carefully inspect underlying mineral soil for the presence of flakes or artifacts. This site, as with CA-PLA-134, was never directly observed by its recorder, Mott, but rather was “recorded” on the basis of previous landowners’ and farmers’ recollections of having unearthed prehistoric artifacts within nearby fields over the years. No evidence of CA-PLA-137 was observed during the pedestrian survey.

Historic Resources

The NCIC records search indicated that two State bridges cross Curry Creek on Brewer Road, on the western edge of the project site. However, both bridges have already been evaluated and determined ineligible for listing in the National Register of Historic Places (NRHP) through consultation between the California Department of Transportation (Caltrans) and the State Historic

Preservation Office (SHPO).⁴ One historic road course referred to as the “Sacramento and Nevada Road” and identified on an 1855 Government Land Office map as proceeding through the central portion of the project site was not relocated during the pedestrian survey. Presumably and understandably, the original road track would have been destroyed by plowing, discing, and land leveling by heavy equipment used in conjunction with rice farm operations on this property. One historic isolate and one light-density trash scatter have been documented within the project area by ECORP, Inc. Neither the isolate nor the trash scatter containing a light-density mix of both historic and contemporary items have been recommended as significant per CEQA or eligible for inclusion in the NRHP.

Paleontological Resources

Paleontological resources include fossil remains, as well as fossil localities and rock or soil formations that have produced fossil material. Fossils are the remains or traces of prehistoric animals and plants. Fossils are important scientific and educational resources because of their use in: (1) documenting the presence and evolutionary history of particular groups of now extinct organisms, (2) reconstructing the environments in which these organisms lived, and (3) determining the relative ages of the strata in which they occur and of the geologic events that resulted in the deposition of the sediments that formed these strata and in their subsequent deformation. The California Environmental Quality Act (CEQA) requires that these resources be addressed during the EIR process.

The Riverbank Formation underlies the RUSP project site and off-site improvement areas. Fossils recovered from the Riverbank Formation typically are large, late Pleistocene vertebrates, including *Bison* (bison), *Equus* (horse), *Camelops* (camel), *Mammuthus* (mammoth), *Paramylodon* (ground sloth) and *Canis* (wolf). Fish, frogs, snakes, turtles, and a few plants, such as *Prunus* (prune), *Platanus* (sycamore), and *Salix* (willow), also have been found within this formation.

Paleontological resources are classified as non-renewable scientific resources and are protected by federal and State statutes, most notably by the 1906 Federal Antiquities Act. Professional standards for assessment and mitigation of adverse impacts on paleontological resources have been established by the Society of Vertebrate Paleontology (SVP) (1995, 1996).⁵

REGULATORY SETTING

Federal, State, and local governments have developed laws and regulations designed to protect significant cultural resources that may be affected by actions that they undertake or regulate. The National Historic Preservation Act (NHPA) and CEQA are the basic federal and State laws governing the preservation of historic and archaeological resources of national, regional, State and/or local significance.

4 Genesis Society, Archaeological Inventory Survey, Proposed Regional University Development Project, c. 2,400 Acres Near Roseville, Placer County, California, November 27, 2006.

5 The SVP has established standard guidelines (SVP 1995, 1996) that outline acceptable professional practices in the conduct of paleontological resource assessments and surveys, monitoring and mitigation, data and fossil recovery, sampling procedures, and specimen preparation, identification, analysis, and curation. Most practicing professional paleontologists in the nation adhere closely to the SVP's assessment, mitigation, and monitoring requirements as specifically provided in its standard guidelines. Most California state regulatory agencies accept the SVP standard guidelines as a measure of professional practice.

Federal Regulations

Federal regulations for cultural resources are primarily governed by Section 106 of the NHPA of 1966, which applies to actions taken by federal agencies. The goal of the Section 106 review process is to offer a measure of protection to sites that are determined eligible for listing on the NRHP. The criteria for determining NRHP eligibility are found in 36 Code of Federal Regulations (CFR) Part 60. Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties and affords the federal Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. The Council's implementing regulations, "Protection of Historic Properties," are found in 36 CFR Part 800. The NRHP criteria (contained in 36 CFR 60.4) are used to evaluate resources when complying with NHPA Section 106. Those criteria state that eligible resources comprise districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and

- a) are associated with events that have made a significant contribution to the broad patterns of our history; or
- b) are associated with the lives of persons significant in our past; or
- c) embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction; or
- d) have yielded or may be likely to yield, information important to history or prehistory.

Archaeological site evaluation assesses the potential of each site to meet one or more of the criteria for NRHP eligibility based upon visual surface and subsurface evidence (if available) at each site location, information gathered during the literature and records searches, and the researcher's knowledge of and familiarity with the historic or prehistoric context associated with each site.

The American Indian Religious Freedom Act, Title 42 United States Code, Section 1996, protects Native American religious practices, ethnic heritage sites, and land uses.

State Regulations

Under CEQA, public agencies must consider the effects of their actions on both "historical resources" and "unique archaeological resources." Pursuant to Public Resources Code section 21084.1, a "project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." Section 21083.2 requires agencies to determine whether proposed projects would have effects on "unique archaeological resources."

"Historical resource" is a term of art with a defined statutory meaning. (See Public Resources Code, section 21084.1 and CEQA Guidelines, section 15064.5, subdivisions (a) and (b).) The term embraces any resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR). The CRHR includes resources listed in or formally determined eligible for listing in the NRHP, as well as some California State Landmarks and Points of Historical Interest.

Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources inventory may be eligible for listing in the CRHR and are presumed to be "historical resources" for purposes of CEQA unless a preponderance of evidence indicates otherwise (Public Resources

Code, section 5024.1 and California Code of Regulations, Title 14, section 4850). Unless a resource listed in a survey has been demolished, lost substantial integrity, or there is a preponderance of evidence indicating that it is otherwise not eligible for listing, a lead agency should consider the resource to be potentially eligible for the CRHR.

In addition to assessing whether historical resources potentially impacted by a proposed project are listed or have been identified in a survey process, lead agencies have a responsibility to evaluate them against the CRHR criteria prior to making a finding as to a proposed project's impacts to historical resources (Public Resources Code, section 21084.1 and CEQA Guidelines, section 15064.5, subdivision (a)(3)). In general, an historical resource, under this approach, is defined as any object, building, structure, site, area, place, record, or manuscript that:

- (a) Is historically or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political or cultural annals of California; and
- (b) Meets any of the following criteria:
 - 1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
 - 2) Is associated with the lives of persons important in our past;
 - 3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
 - 4) Has yielded, or may be likely to yield, information important in prehistory or history.

(CEQA Guidelines, section 15064.5 (a)(3))

Archaeological resources can sometimes qualify as "historical resources." (CEQA Guidelines, section 15064.5 subdivision (c)(1).) In addition, Public Resources Code 5024 requires consultation with the Office of Historic Preservation when a project may impact historical resources located on State-owned land.

For historic structures, CEQA Guidelines section 15064.5, subdivision (b)(3), indicates that a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995) shall mitigate impacts to a level of less than significant. Potential eligibility also rests upon the integrity of the resource. Integrity is defined as the retention of the resource's physical identity that existed during its period of significance. Integrity is determined through considering the setting, design, workmanship, materials, location, feeling and association of the resource.

As noted above, CEQA also requires lead agencies to consider whether projects will impact "unique archaeological resources." Public Resources Code section 21083.2, subdivision (g), states that "'unique archaeological resource' means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.

- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.”

(Pub. Resources Code, § 21083.2, subdivision (g).)

Treatment options under section 21083.2 include activities that preserve such resources in place in an undisturbed state. Other acceptable methods of mitigation under section 21083.2 include excavation and curation or study in place without excavation and curation (if the study finds that the artifacts would not meet one or more of the criteria for defining a “unique archaeological resource”).

Advice on procedures to identify cultural resources, evaluate their importance and estimate potential effects is given in several agency publications such as the series produced by the Governor’s Office of Planning and Research (OPR). The technical advice series produced by OPR strongly recommends that Native American concerns and the concerns of other interested persons and corporate entities, including but not limited to, museums, historical commissions, associations and societies, be solicited as part of the process of cultural resources inventory. In addition, California law protects Native American burials, skeletal remains and associated grave goods regardless of their antiquity and provides for the sensitive treatment and disposition of those remains.

Section 7050.5(b) of the California Health and Safety code specifies protocol when human remains are discovered. The code states:

In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in section 5097.98 of the Public Resources Code.

CEQA Guidelines section 15064.5, subdivision (e), requires that excavation activities be stopped whenever human remains are uncovered and that the county coroner be called in to assess the remains. If the county coroner determines that the remains are those of Native Americans, the Native American Heritage Commission must be contacted within 24 hours. At that time, the lead agency must consult with the appropriate Native Americans, if any, as timely identified by the Native American Heritage Commission. Section 15064.5 directs the lead agency (or applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

As of March 1, 2005, Senate Bill 18 (Government Code sections 65352.3, 65352.4) requires that, prior to the adoption or amendment of a general plan proposed on or after March 1, 2005, a city or county must consult with Native American tribes with respect to the possible preservation of, or the mitigation of impacts to, specified Native American places, features, and objects located within that jurisdiction.

Local Regulations

Placer County General Plan

The following goals and policies from the General Plan are applicable to the proposed project.

Goal 5.D To identify, protect, and enhance Placer County's important historical, archaeological, paleontological, and cultural sites and their contributing environment.

Policies

- 5.D.3. The County shall solicit the views of the Native American Heritage Commission and/or the local Native American community in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance.
- 5.D.6. The County shall require that discretionary development projects identify and protect from damage, destruction, and abuse, important historical, archaeological, paleontological, and cultural sites and their contributing environment. Such assessments shall be incorporated into a Countywide cultural resource data base, to be maintained by the Department of Museums.
- 5.D.7. The County shall require that discretionary development projects are designed to avoid potential impacts to significant paleontological or cultural resources whenever possible. Unavoidable impacts, whenever possible, shall be reduced to a less than significant level and/or shall be mitigated by extracting maximum recoverable data. Determinations of impacts, significance, and mitigation shall be made by qualified archaeological (in consultation with recognized local Native American groups), historical, or paleontological consultants, depending on the type of resource in question.

IMPACTS AND MITIGATION MEASURES

Methods of Analysis

This section of the EIR is based on the report titled *Archaeological Inventory Survey, Proposed Regional University Development Project, c. 2,400 Acres Near Roseville, Placer County, California*, prepared in November 2006 by Genesis Society. The cultural resource investigation included a cultural resources records search of the NCIC; Native American consultation; and a pedestrian survey of the study area, which includes the RUSP project site and areas proposed for off-site infrastructure.

Standards of Significance

Under criteria based on the State CEQA Guidelines, for the purposes of this EIR, an impact would be considered significant if the proposed project would:

- Cause a substantial adverse change in the significance of a unique archaeological resource or an historical resource as defined in section 21083.2 of the Public Resources Code and section 15064.5 of the State CEQA Guidelines, respectively;
- Disturb any human remains, including those interred outside of formal cemeteries; or

- Directly or indirectly destroy a unique paleontological resource.

Section 15064.5 (b) (1) of the State CEQA Guidelines defines “substantial adverse change” as “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.”

Project-Specific Impacts and Mitigation Measures

6.5-1 The proposed project could cause a substantial adverse change in the significance of a unique archaeological resource or an historical resource as defined in section 21083.2 of CEQA and section 15064.5 of the State CEQA Guidelines.

The NCIC records search conducted for the proposed project indicated that approximately 65 percent of the study area had been formally surveyed for cultural resources. No cultural resources were newly identified and no previously recorded resources could be relocated during any of the previous surveys detailed in the results of the records search. The records search identified two previously recorded prehistoric sites (CA-PLA-134 and CA-PLA-137) within the study area. Neither of these sites nor any evidence of prehistoric presence or activity was observed anywhere within the study area during the pedestrian survey. Pursuant to SB 18 requirements, the Placer County Planning Department has initiated tribal consultation with the United Auburn Indian Tribe in accordance with the State of California Tribal Consultation Guidelines. To date, this consultation has identified no known Native American cultural places that would be affected by the proposed project.

Two State bridges on the western edge of the project site have been determined ineligible for listing on the NRHP. One historic road course referred to as the “Sacramento and Nevada Road” and identified on an 1855 Government Land Office map as proceeding through the central portion of the RUSP project site was not located during the pedestrian survey. The original road track was most likely destroyed by plowing, discing, and land leveling by heavy equipment used in conjunction with rice farm operations. One historic isolate and one light-density trash scatter have been documented within the project area by ECORP, Inc. Neither the isolate nor the trash scatter containing a light-density mix of both historic and contemporary items have been recommended as significant per CEQA or eligible for inclusion in the NRHP.

All or nearly all of the study area, which includes the RUSP project site and the areas proposed for off-site infrastructure, has at one time or continues to be subjected to intense mechanized rice farming. Based on the intensity of agricultural production within the study area over the last several decades and the results of the records search, Native American consultation, and pedestrian survey, the study area retains a moderate to low sensitivity for the presence of subsurface cultural resources. However, there is a possibility that subsurface historical resources or unique archaeological resources exist on the project site that could be uncovered during grading, excavation, and other earth-moving activities during construction. If encountered during construction such resources could be damaged or destroyed. This would be considered a *potentially significant impact*.

Mitigation Measure

Implementation of the following mitigation measure would reduce this impact to a *less-than-significant level* for subsurface cultural resources that can be adequately mitigated through data recovery; however, for subsurface cultural resources that would be required to be preserved intact in

order to avoid significant effects (e.g., many kinds of “historical resources”), the impact would be **potentially significant and unavoidable**.

- 6.5-1 *In the event that any prehistoric or historic subsurface archaeological features or deposits, including locally darkened soil (“midden”), that could conceal cultural deposits, animal bone, obsidian and/or mortar are discovered during construction-related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the County shall be notified. The County shall consult with a qualified archeologist to assess the significance of the find. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), then representatives of the County and the qualified archaeologist shall meet to determine the appropriate course of action, with the County making the final decision. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report shall be prepared by the qualified archaeologist according to current professional standards.*

If the archaeologist determines that some or all of the affected property qualifies as a Native American Cultural Place, including a Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine (Public Resources Code §5097.9) or a Native American historic, cultural, or sacred site, that is listed or may be eligible for listing in the California Register of Historical Resources pursuant to Public Resources Code §5024.1, including any historic or prehistoric ruins, any burial ground, any archaeological or historic site (Public Resources Code §5097.993), the archaeologist shall recommend to the County potentially feasible mitigation measures that would preserve the integrity of the site or minimize impacts to it, including any or a combination of the following:

- a) *Avoidance, preservation, and/or enhancement of all or a portion of the Native American Cultural Place as open space or habitat, with a conservation easement dedicated to the most interested and appropriate tribal organization (e.g., the United Auburn Indian Tribe), if such an organization is willing to accept and maintain such an easement, or alternatively, a cultural resource organization that holds conservation easements;*
- b) *An agreement with any such tribal or cultural resource organization to maintain the confidentiality of the location of the site so as to minimize the danger of vandalism to the site or other damage to its integrity; or*
- c) *Other measures, short of full or partial avoidance or preservation, intended to minimize impacts to the Native American Cultural Place consistent with land use assumptions and the proposed design and footprint of the development project for which the requested grading permit has been approved.*

After receiving such recommendations, the County Planning Director shall assess the feasibility of the recommendations and impose the most protective mitigation feasible in light of land use assumptions and the proposed design and footprint of the development project. In reaching his or her conclusions with respect to these recommendations, the Planning Director shall consult with both the project applicant and the most interested and appropriate tribal organization.

6.5-2 The proposed project could disturb human remains, including those interred outside of formal cemeteries.

Based on the intensity of agricultural production within the study area over the last several decades and the results of the records search, the Placer County Planning Department's initiation of tribal consultation pursuant to SB 18 requirements, and the pedestrian survey, the study area retains a moderate to low sensitivity for the presence of human remains. However, there is a possibility that human remains, including those interred outside of formal cemeteries, exist on the project site that could be disturbed during grading, excavation, and other earth-moving activities during construction. This would be considered a *potentially significant impact*.

Mitigation Measure

Implementation of the following mitigation measure would reduce this impact to a ***less-than-significant level***.

6.5-2 *If human remains are discovered at any project construction sites during any phase of construction, all ground-disturbing activity within 50 feet of the remains shall be halted immediately, and the Placer County Planning Department and the County coroner shall be notified immediately. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project applicant shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The County shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project applicant shall implement approved mitigation, to be verified by the County, before the resumption of ground-disturbing activities within 50-feet of where the remains were discovered.*

6.5-3 The proposed project could directly or indirectly destroy a unique paleontological resource.

As previously described, a literature survey of the study area indicated a potentially fossiliferous geological formation (the Riverbank Formation) underlying the entire study area. Future development of the study area has the potential to unearth undiscovered paleontological resources. No fossils and no evidence of exposed geomorphological features that typically contain fossils were observed during the pedestrian survey of the study area, but that does not preclude the possibility of their existence at greater depth below the ground surface. Because the proposed project could directly or indirectly destroy a unique paleontological resource, this is considered a *potentially significant impact*.

Mitigation Measure

Implementation of the following mitigation measure would reduce this impact to a ***less-than-significant level***.

6.5-3 *Should paleontological resources be identified at a particular site, the project manager shall cease operation until a qualified professional can provide an evaluation. Mitigation shall be conducted as follows:*

1. *Identify and evaluate paleontological resources by intense field survey where impacts are considered high;*
2. *Assess effects on identified sites;*
3. *Consult with the institutional/academic paleontologists conducting research investigations within the geological formations that are slated to be impacted;*
4. *Obtain comments from the researchers; and*
5. *Comply with researchers' recommendations to address any significant adverse effects where determined by the County to be feasible.*

In considering any suggested mitigation proposed by the consulting paleontologist, County Planning Department Staff shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, Specific Plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

Cumulative Impacts and Mitigation Measures

The cumulative analysis for impacts to cultural and paleontological resources considers a broad cultural and regional system of which the resources are a part. The cumulative context for the cultural resources analysis for the proposed project includes Placer County and the Sacramento region as a whole.

6.5-4 The proposed project, in combination with other development in the Sacramento region, could adversely affect unique archaeological resources or historical resources as defined in section 21083.2 of CEQA and section 15064.5 of the State CEQA Guidelines.

Based upon previous cultural resource surveys and research, the Sacramento region (which includes El Dorado, Placer, Sacramento, Sutter, Yolo, and Yuba counties) has been inhabited by prehistoric and historic peoples for thousands of years. The proposed project, in combination with other development in the Sacramento region, could contribute to the loss of significant cultural resources. Because all significant cultural resources are unique and non-renewable members of finite classes, all adverse effects or negative impacts erode a dwindling resource base. The loss of any one archaeological site affects all others in a region because these resources are best understood in the context of the entirety of the cultural system of which they are a part. The boundaries of an archaeologically important site extend beyond the site boundaries. As a result, a meaningful approach to preserving and managing cultural resources must focus on the likely distribution of cultural resources, rather than on project or parcel boundaries. The cultural system is represented archaeologically by the total inventory of all sites and other cultural remains in the region. Proper planning and appropriate mitigation can help to capture and preserve knowledge of such resources and can provide opportunities for increasing our understanding of the past

environmental conditions and cultures by recording data about sites discovered and preserving artifacts found. Federal, State, and local laws are also in place, as discussed above, that protect these resources in most instances. Even so, it is not always feasible to protect these resources, particularly when preservation in place would frustrate implementation of projects, and for this reason the cumulative effects of the RUSP and related projects in the region will be significant. Moreover, because the proposed project has the potential to adversely affect significant cultural resources that are unique and non-renewable members of finite classes, the project's incremental contribution to these cumulative effects would itself be potentially cumulatively considerable, and thus *potentially significant*.

Mitigation Measure

Compliance with Mitigation Measure 6.5-1 would help to reduce the project's cumulative contribution; however, the impact would remain ***significant and unavoidable***.

6.5-4 *Implement Mitigation Measure 6.5-1.*

6.5-5 The proposed project, in combination with other development in the Sacramento region, could adversely affect human remains, including those interred outside of formal cemeteries.

Based upon previous cultural resource surveys and research, the Sacramento region (which includes El Dorado, Placer, Sacramento, Sutter, Yolo, and Yuba counties) has been inhabited by prehistoric and historic peoples for thousands of years. The proposed project, in combination with other development in the Sacramento region could contribute to the loss of significant cultural resources, which include Native American ancestral remains. Because all significant cultural resources are unique and non-renewable members of finite classes, all adverse effects or negative impacts erode a dwindling resource base, the project's incremental contribution to these significant cumulative impacts would be potentially cumulatively considerable, and thus *potentially significant*.

Mitigation Measure

Compliance the following mitigation measure would ensure the project's cumulative contribution could be reduced to a less-than-considerable level, rendering the cumulative impact ***less than significant***.

6.5-5 *Implement Mitigation Measure 6.5-2.*

6.5-6 The proposed project, in combination with other development in Placer County, could adversely affect unique paleontological resources.

Based upon previous fossil finds and paleontological research, Placer County has fossil-bearing sediments that date back hundreds of thousands of years. The proposed project, in combination with other development in the County could contribute to the loss of significant paleontological resources. Because all significant paleontological resources are unique and non-renewable members of finite classes, all adverse effects or negative impacts erode a dwindling resource base. The loss of any one paleontological site affects all others in a region because these resources are best understood in the context of the entirety of the ancient ecologic system of which they formed a part. The boundaries of paleontologically important sites are not limited by property boundaries. Consequently, a meaningful approach to preserving and managing paleontological resources must

focus on the likely distribution of those resources, rather than on project or parcel boundaries. The ancient ecologic system is represented paleontologically by the total inventory of all sites and other fossil remains. In this case, development in Placer County potentially could disturb known or unknown paleontological resources. Proper planning and appropriate mitigation can help to capture and preserve knowledge of such resources and can provide opportunities for increasing our understanding of the past environmental conditions by recording data about sites discovered and preserving fossils found. Federal, State, and local laws are in place, as discussed above, that protect these resources. However, the project's incremental contribution to these significant cumulative impacts would itself be potentially cumulatively considerable, and thus *potentially significant*.

Mitigation Measure

Compliance with Mitigation Measure 6.5-6 would reduce the project's cumulative contribution to a ***less-than-significant level***.

6.5-6 *Implement Mitigation Measure 6.5-3.*